

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SIDNEY GORDON and JEFFREY
TAUBER,

Plaintiffs,

v.

SONAR CAPITAL MANAGEMENT LLC,
et al.,

Defendants.

DOCKET NO. 1:11-CV-09665 (JSR)

DECLARATION OF PATRICK J. VALLELY

PATRICK J. VALLELY, under penalty of perjury, declares as follows:

1. I am an associate at the firm Shapiro Haber & Urmey LLP, co-lead counsel for Plaintiff Sidney Gordon and Jeffrey Tauber. I am an attorney in good standing admitted to the Bar of the Commonwealth of Massachusetts.

2. I submit this declaration in support of Plaintiffs' Memorandum of Law in Opposition to Defendant Noah Freeman's Motion to Dismiss the Amended Class Action Complaint ("Mem. Law").

3. Attached hereto as **Exhibit A** is a true and accurate copy of an opinion in *In re GPC Biotech AG Securities Litigation*, No. 07-06728 (S.D.N.Y.), dated February 13, 2009, which I retrieved from PACER. That opinion was vacated on grounds unrelated to the court's holding on the contemporaneousness requirement in *In re GPC Biotech AG Sec. Litig.*, No. 07-6728, 2009 WL 752111 (S.D.N.Y. Mar. 12, 2009), as explained in *In re GPC Biotech AG Sec. Litig.*, No. 07-6728, 2009 WL 5125130 (S.D.N.Y. Mar. 12, 2009) (Dec. 29, 2009).

4. Attached hereto as **Exhibit B** are true and accurate copies of excerpts from Larson, Algebra 2 (McDougal Little 2001).

5. Attached hereto as **Exhibit C** is a printout of the values for the Excel spreadsheet used to calculate Tables 1, 2, and 3 in the Mem. Law.

6. Attached hereto as **Exhibit D** is a printout of the formulae for the Excel spreadsheet used to calculate Tables 1, 2, and 3 in the Mem. Law.

Signed under the pains and penalties of perjury this 5th day of June, 2012.

/s/ Patrick J. Vallely
Patrick J. Vallely

CERTIFICATE OF SERVICE

I hereby certify that on June 5, 2012, a true copy of the foregoing document was filed electronically. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or will be served on anyone not registered to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Edward F. Haber